

Arizona Department of Transportation Tips for Materials Source Environmental Compliance

In order to help facilitate ADOT's environmental approval process, this sheet has been prepared to assist document preparers in avoiding the most common mistakes. The most common mistakes are as follows:

1. Lack of a NPDES stormwater discharge permit.

Federal regulations specifically identify sand and gravel operations as being required to obtain an NPDES permit. For purposes of this environmental approval, it is sufficient to state that the notice of intent (NOI) form has been submitted to the Environmental Protection Agency (EPA) for the NPDES permit.

2. Lack of a determination of effects on threatened and endangered species.

ADOT uses US Fish and Wildlife Service guidelines to determine direct, indirect, and cumulative effects on threatened and endangered species and their habitat. Correspondence with the US Fish and Wildlife Service and the Arizona Game and Fish Department does not constitute determination of effects.

3. Lack of protection measures for archeological sites.

Archeological sites can be protected in various ways. The easiest way is to redraw project area boundaries to exclude archeological sites. If this is impractical, sites can be protected through fencing, staking, and/or flagging and taping. Some operations have utilized brightly-colored plastic snow fences. Failure to provide such measures often results in an extended consultation period with Arizona's Indian tribes until such issues are resolved.

4. Inconsistency between reports regarding project area dimensions and maps.

It is important for maps and text in biological reports, archeological reports, and the ADOT Specification Section 104.12 Environmental Analysis Application to be consistent.

5. Inadequately addressing Section 404 or floodplain issues.

ADOT requires materials sources that supply ADOT projects to be in compliance with Section 404 of the Clean Water Act. If operations are taking place within jurisdictional waters of the United States, then ADOT will require the following:

- Definitive statement that the operations will be performed in compliance with the Clean Water Act.
- If operations are occurring under a Nationwide 404 permit, then the specific number of the permit must be supplied;
- If operations are occurring under an individual 404 permit, then a copy of the cover letter and the mitigation measures must be provided;

6. Failure to respond in a reasonable time period.

ADOT is committed to shortening feedback times and we respond as promptly as possible. However, once we have provided our feedback or request for revisions, we no longer control the length of the clearance process.

Guidance in preparing the environmental determination for commercial materials sources is available from Angela Roach of the ADOT Environmental Planning Group, phone (520) 388-4253. Mail the completed application to Angela Roach, Arizona Department of Transportation, Environmental Planning Group, 1221 S. 2nd Ave. - MD T100, Tucson, Arizona 85713.